

JEFFREY KALIEL, California Bar No. 238293
ANNICK M. PERSINGER, California Bar No. 272996
TYCKO & ZAVAREEI LLP
483 Ninth Street, Suite 200
Oakland, CA 94607
Telephone (510) 254-6808
Facsimile (202) 973-0950
jkaliel@tzlegal.com
apersinger@tzlegal.com

Attorney for Plaintiffs
Additional Attorneys on Signature Page

Tomio B. Narita (SBN 156766)
Simmonds & Narita LLP
44 Montgomery Street, Suite 3010
San Francisco, California 94104
(415) 283.1000
Fax (415) 352.2625
email: tnarita@snllp.com

Attorneys for Defendant

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JUAN QUINTANILLA VASQUEZ,
GABRIELA PERDOMO ORTIZ, and VICTOR
HUGO CATALAN MOLINA, individually and
on behalf of all others similarly situated,

PLAINTIFFS,

vs.

LIBRE BY NEXUS, INC. and JOHN DOES 1-
50,

DEFENDANTS.

Case No. 4:17-cv-00755

**STIPULATION FOR (1) FILING THE
SECOND AMENDED COMPLAINT;
AND (2) AMENDING THE SCHEDULE
FOR DEFENDANT'S MOTION TO
COMPEL ARBITRATION**

The Honorable Claudia Wilken

1 WHEREAS, on May 23, 2017, at the Initial Conference in this case, Plaintiffs agreed to
2 provide a draft Second Amended Complaint to Defendant on that Friday, May 26, 2017.

3 WHEREAS, on May 26, 2017, Plaintiffs sent counsel for Defendant a Second Amended
4 Complaint for their review.

5 WHEREAS, Defendant do not object to the filing of the Second Amended Complaint so long
6 as the parties are able to establish a mutually agreeable briefing schedule for the motion to compel
7 arbitration that Defendant intends to file in response to Plaintiffs' Second Amended Complaint.

8 WHEREAS, Defendant has only consented to the filing of the Second Amended Complaint
9 and does not waive any defense to Plaintiffs' claims or the allegations in the Second Amended
10 Complaint or Defendant's right to move to compel arbitration.

11 WHEREAS, on May 23, 2017, at the Initial Conference in this case, prior to Plaintiffs'
12 sending of the Second Amended Complaint to Defendant, the Court set the following deadlines with
13 respect to Defendant's motion to compel arbitration: (a) Deadline for Defendant to file Motion to
14 Compel Arbitration June 13, 2017; (b) Deadline for Plaintiffs to file their Opposition to Motion to
15 Compel Arbitration – August 1, 2017; (c) Deadline for Defendant to file its Reply in Support of
16 Arbitration – August 15, 2017; (d) Hearing on Defendant's Motion to Compel Arbitration – August
17 29, 2017 at 2:30 p.m.

18 WHEREAS, the parties have conferred and agreed that good cause exists to amend the
19 Motion to Compel Arbitration schedule to account for the filing of the Second Amended Complaint:

20 IT IS HEREBY STIPULATED BY AND BETWEEN THE PARTIES:

- 21 1. Plaintiffs shall file their Second Amended Complaint in the form sent to Defendant on May
22 26, 2017, by June 9, 2017;
- 23 2. Defendant shall file its Motion to Compel Arbitration by July 10, 2017;
- 24 3. Plaintiffs shall file their Opposition to Defendant's Motion to Compel Arbitration by August
25 24, 2017;
- 26 4. Defendant shall file its Reply in Support of its Motion to Compel Arbitration by September
27 7, 2017; and

- 1 5. Defendant's Motion to Compel Arbitration shall be heard on September 21, 2017 at 2:30
2 p.m. or on such other date convenient for the Court;
3 6. All other deadlines shall remain the same.
4

5 IT IS SO STIPULATED.
6
7

8 Dated: June 2, 2017

TYCKO & ZAVAREEI LLP

9 By: /s/ Jeffrey Kaliel
Jeffrey Kaliel

10 JEFFREY KALIEL, California Bar No. 238293
11 ANNICK M. PERSINGER, California Bar No. 272996
TYCKO & ZAVAREEI LLP
12 483 Ninth Street, Suite 200
Oakland, CA 94607
13 Telephone (510) 254-6808
Facsimile (202) 973-0950
14 jkaliel@tzlegal.com
apersinger@tzlegal.com
15

16 PAUL CHAVEZ, CA Bar No. 241576
JESSE NEWMARK, CA Bar No. 247488
17 AIDIN CASTILLO, CA Bar No. 280262
CENTRO LEGAL DE LA RAZA
18 3400 E. 12th Street, Oakland, CA 94601
Telephone (510) 437-1554
19 pchavez@centrolegal.org
jessenewmark@centrolegal.org
20 acastillo@centrolegal.org

21 NICHOLAS A. MIGLIACCIO, *pro hac vice* forthcoming
JASON S. RATHOD, *pro hac vice* forthcoming
22 **MIGLIACCIO & RATHOD LLP**
412 H St NE, Suite 302
23 Washington DC 20002
Telephone (202) 470-3520
24 nmigliaccio@classlawdc.com
jrathod@classlawdc.com
25

26 *Attorneys for Plaintiffs*
27
28

1 Dated: June 2, 2017

SIMMONDS & NARITA LLP

2 By: /s/ Tomio B. Narita

Tomio B. Narita

3 Tomio B. Narita
4 Simmonds & Narita LLP
44 Montgomery Street, Suite 3010
5 San Francisco, California 94104
(415) 283.1000
6 Fax(415) 352.2625
email: tnarita@snllp.com

7 *Attorneys for Defendant*

8 **ECF Signature Certification**

9 Pursuant to Civil L.R. 5-1(i)(3), I hereby certify that the content of this document is
10 acceptable to Tomio B. Narita, counsel for Defendant, and that I have obtained Mr. Narita's
11 authorization to affix his electronic signature to this document.
12

13 Dated: June 2, 2017

/s/ Jeffrey Kaliel

Jeffrey Kaliel